

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JEAN MERRITT, on behalf of herself
and all other persons similarly situated,
known and unknown,

Plaintiff,

V.

BARTLETT MANUFACTURING CO.,
INC.,

Defendant.

Case No. 08 C 1038

Judge Kendall

JOINT INITIAL STATUS REPORT

Plaintiff and Defendant, by their attorney, respectfully submit the following Joint Status Report, pursuant to this Court's Standing Order:

A. The Nature of the Case

1. Lead Attorneys

Plaintiff's Attorney:
Douglas M. Werman
Werman Law Office, P.C.
77 W. Washington, Suite 1402
Chicago, Illinois 60602
(312) 419-1008

Defendant's Attorney:
William Provenzano
William J. Provenzano and Associates
1580 S. Milwaukee Ave., Suite 520
Libertyville, IL 60048
(847)816-6588

2. Federal jurisdiction is based on 29 U.S.C. §1331, pursuant to this Court’s original jurisdiction over Plaintiff’s claims asserted under the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.* (“FLSA”).

3. Plaintiff contends that she and other similarly situated employees were not paid overtime wages in violation of the FLSA and Illinois Minimum Wage Law, 820 ILCS 105/1 *et seq.* (the “IMWL”).

4. Defendant has been served with the summons and Complaint.

5. The principal legal issues are whether:

- a. Plaintiff is owed overtime wages as required by the FLSA and IMWL;
- b. Whether collective action treatment of Plaintiff’s FLSA claims is appropriate.

6. The principal factual issues are whether:

- a. The number of hours Plaintiff worked in individual work weeks;
- b. Whether the Defendants time records are accurate; and
- c. The amount of Plaintiff’s damages, if any;

7. A jury trial has not been demanded by either party.

8. Discovery has not yet been commenced by the parties. The parties expect to exchange interrogatories and document requests, followed by the depositions of the parties and other witnesses.

9. This case will be ready for trial in early 2009. The parties cannot currently estimate the length of the trial.

10. The parties do not consent at this time to proceed before the Magistrate Judge.

11. The parties have not yet discussed settlement and do not request a settlement

conference at this time.

Dated: April 17, 2008

Respectfully submitted

For Plaintiff:

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